

**Assembly Bill No. 1363**

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Passed the Assembly    September 12, 1997

\_\_\_\_\_  
*Chief Clerk of the Assembly*

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Passed the Senate    September 10, 1997

\_\_\_\_\_  
*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_ day  
of \_\_\_\_\_, 1997, at \_\_\_\_ o'clock \_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

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## CHAPTER \_\_\_\_

An act to add Section 1295.5 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1363, Machado. Employment: minors.

Existing law prescribes certain restrictions on the employment of minors in various occupations and places of employment, including special restrictions on the hours of employment of minors.

This bill would authorize employment of minors 14 years of age and older to perform sports-attending services in professional baseball, as enumerated in specified federal regulations, subject to special limitations respecting hours of employment. The bill would prohibit employment of a minor 14 or 15 years of age to perform sports-attending services in professional baseball pursuant to the bill except with the prior written approval of the school district of the school in which the minor is enrolled or the county board of education of that school district.

Existing law provides that the school authority that issues a permit for a minor to work while school is in session may revoke that permit if evidence is shown, to the satisfaction of the school authority, that the schoolwork or the health of the minor is being impaired by the employment.

This bill would require the school authority to monitor the academic achievement of any minor 14 or 15 years of age who is issued a permit to perform sports-attending services in professional baseball to ensure that the educational progress of the minor is being maintained or improves during the period of employment.

The bill would declare that it is to take effect immediately as an urgency statute.



*The people of the State of California do enact as follows:*

SECTION 1. Section 1295.5 is added to the Labor Code, to read:

1295.5. Notwithstanding Section 1391 of this code or Section 49116 of the Education Code, minors 14 years of age and older may be employed during the hours permitted by subdivision (b) to perform sports-attending services in professional baseball as enumerated in subsection (b) of Section 570.35 of Title 29 of the Code of Federal Regulations. No employer may employ a minor 14 or 15 years of age to perform sports-attending services in professional baseball without the prior written approval of either the school district of the school in which the minor is enrolled or the county board of education of the county in which that school district is located.

(b) Any minor 14 or 15 years of age who performs sports-attending services in professional baseball pursuant to subdivision (a) may be employed outside of school hours until 12:30 a.m. during any evening preceding a nonschoolday and until 10 p.m. during any evening preceding a schoolday. No employer may employ a minor 14 or 15 years of age to perform sports-attending services in professional baseball pursuant to subdivision (a) for more than five hours in any schoolday, for more than 18 hours in any week while school is in session, for more than eight hours in any nonschoolday, or for more than 40 hours in any week that school is not in session. An employer may employ a minor 16 or 17 years of age outside of school hours to perform sports-attending services in professional baseball pursuant to subdivision (a) for up to five hours in any schoolday.

(c) The school authority issuing the permit to the minor to perform sports-attending services in professional baseball shall (1) provide the local office of the Division of Labor Standards Enforcement with a copy of the permit within five business days after the date the permit is issued and (2) monitor the academic



achievement of the minor to ensure that the educational progress of the minor is being maintained or improves during the period of employment.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to conform state law to federal regulations at the earliest possible time, so as to allow the lawful employment of certain minors to perform sports-attending services in professional baseball as soon as possible, it is necessary that this act take effect immediately.



Approved \_\_\_\_\_, 1997

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*Governor*

